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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,512	03/25/2004	Gwan Ryong Park	2832-0176PUS1	5542
2292 7590 05/30/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER BLAN, NICOLE R	
			ART UNIT 1709	PAPER NUMBER
			NOTIFICATION DATE 05/30/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/808,512

Applicant(s)

PARK ET AL.

Examiner

Nicole Blan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 9, 10 and 18-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 11-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Response to Arguments

1. Applicant's election with traverse of Species II, Figure 5, readable on claims 1-8 and 11-17 in the reply filed on May 3, 2007 is acknowledged. The traversal is on the ground(s) that 37 C.F.R. §1.146 states that a reasonable number of species are permitted in a single application and that examination of all five species will not pose a serious burden on the examiner. This is not found persuasive because the Examiner takes notice that the differences between the five species as disclosed can evoke serious burden throughout the prosecution of the case. Therefore, a restriction was required in order to allow an examination that did not pose a serious burden to the Examiner. The requirement is still deemed proper and is therefore made FINAL.

Specification

2. The disclosure is objected to because of the following informalities: Pages 1 and 2 of the specification refers to both the tub and damper using the reference number 6. The damper should be referenced using the number 10. On page 9, line 2, the damper reference number is incorrect. It should be changed from 600 to 60. Appropriate correction is required.

DETAILED ACTION

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3, and 5-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Bauer et al. (U.S. Patent 4,729,458, hereafter '458).

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Claim 1: A damper mounting structure [abstract] for a washing machine, comprising: a damper [(1&2), Fig.1, col. 2, lines 43-44] positioned between a tub [used in a washer with a spin cycle and to dampen vibrations in this washer it would be connected to the tub] and a cabinet [(36), Fig. 5, col. 5, lines 20-21] for supporting the tub; a mounting bracket [(3'), Fig. 5, col. 5, lines 5-13] connected to the damper; and a buffering member [(37), Fig. 5] having a buffering function provided between the mounting bracket [(3'), Fig. 5] and the cabinet [(36), Fig. 5] for absorbing oscillation [col. 5, lines 20-23].

Claim 2: The damper mounting structure as set forth in claim 1, wherein the mounting bracket [(3'), Fig. 5] includes: a bracket main body [(1'), Fig. 5] having one end connected to the damper by a pin [(32), Fig. 5] [col. 5, lines 11-13]; and a detachment-preventing member [(34), Fig. 5] provided on the other end of the bracket main body for preventing the buffering member from being detached from the mounting bracket [col. 5, lines 32-45].

Claim 3: The damper mounting structure as set forth in claim 2, wherein the bracket main body includes: a damper connecting portion [(3'), Fig. 5, col. 5, lines 7-13] connected to the damper by the pin [(32), Fig. 5, col. 5, lines 13-15]; a buffer connecting portion [(34), Fig. 5, col. 5, lines 27-44] downwardly extended from the damper connecting portion and connected to the buffering member [(37), Fig. 5, col. 5, lines 20-27]; and a detachment-preventing portion [(35), Fig.5, col. 5, lines 16-19 and 32-37] provided on an end of the buffer connecting portion for preventing the buffering member from being detached from the mounting bracket.

Claim 5: The damper mounting structure as set forth in claim 1, wherein the cabinet is provided with a mounting hole [(38), Fig. 5] formed there through so that the buffering member [(37), Fig. 5] is inserted into the mounting hole [col. 5, lines 37-43].

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Claim 6: The damper mounting structure as set forth in claim 5, wherein the buffering member [(37), Fig. 5] is provided with a recess [(42), Fig. 5] formed in an outer circumference thereof so that the recess is inserted into the mounting hole [(42), Fig. 5] [col. 5, lines 35-45].

Claim 7: The damper mounting structure as set forth in claim 1, wherein the buffering member [(37), Fig. 5] is provided with a hole [(40), Fig. 6] formed through a central area thereof so that the mounting bracket is fixedly inserted into the hole [col. 5, lines 37-42].

Claim 8: The damper mounting structure as set forth in claim 1, wherein the cabinet includes a buffering portion [(41), Fig. 5, col. 5, lines 24-27], having a thickness thinner [col. 5, lines 43-45] than those of other portions, formed through an area where the buffering member is connected to the cabinet [col. 5, lines 37-43 and 48-52].

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4, 11, 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over '458, and further in view of Bauer (U.S. Patent 3,509,742, hereafter '742).

Claim 4: '458 teaches the limitations of claim 2 above. They do not teach that the detachment-preventing member is a nut locked onto an external thread formed on the bracket main body. The Examiner takes Official Notice that it is common knowledge to one of ordinary skill in the art of washing machines that a detachment-preventing member can be a nut which always requires a thread for holding. See, for example, '742, where the detachment-preventing

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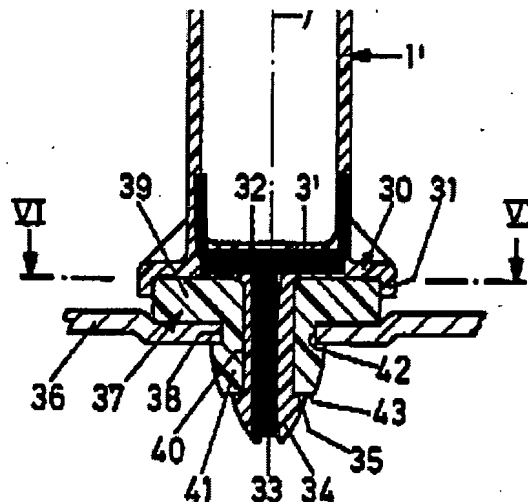
member is a nut [(37), Fig. 6] locked onto an external thread [(38), Fig. 6] formed on the bracket main body [col. 7, line 75 and col. 8, lines 1-7]. Therefore, it would have been obvious to one of ordinary skill in the art of washing machines to use a nut with an external thread in order to prevent the buffer from being detached from the bracket.

Claim 11: '458 teaches a damper mounting structure for a washing machine, comprising: a base [(36), Fig. 5] provided with a mounting hole [(38), Fig. 5] formed there through [col. 5, lines 20-24]; a mounting bracket [(3'), Fig. 5, col. 5, lines 5-13] connected to the damper [(1&2), Fig. 1, col. 2, lines 43-44] by a pin [(32), Fig. 5, col. 5, lines 11-13]; a buffering member [(37), Fig. 5, col. 5, lines 20-27] provided around the circumference of the mounting bracket and connected to the mounting hole of the base [col. 5, lines 37-43]; and a detachment-preventing member [(35), Fig. 5, col. 5, lines 16-19 and 32-37] connected to an end of the mounting bracket for preventing the buffering member from being detached from the mounting bracket. It does not teach a tub that is positioned above the base and a damper that is positioned between the base and the tub such that the damper is connected to the tub in order to have a buffering function. However, '742 teaches a tub [(1), Fig. 2] that is positioned above the base [(5), Fig. 2] [col. 6, lines 26-26 and 32-35] and a damper [(7&8), Fig. 3] that is positioned between the base and the tub such that the damper is connected to the tub in order to have a buffering function. The Examiner takes Official Notice that it is common knowledge to one of ordinary skill in the art of washing machines that if a damper were positioned between the base of the washer and the tub, it would be capable of buffering the forces generated by a spin cycle. Therefore, it would have been obvious to one of ordinary skill in the art of washing machines to place a damper between the base and the tub in order to isolate the vibrations caused by the washer.

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Claim 13: '458 and '742 teach the limitations of claim 11 above. '742 further teaches an elastic body [(10), Fig. 6] connected to the pin for absorbing oscillations produced from the machine [the nut on top of the figure near (10)] is provided between a damper [(7), Fig. 6] and a mounting bracket [(12), Fig. 6] [col. 6, lines 61-70].

Claim 14: '458 and '742 teach the limitations of claim 11 above. '458 further teaches a mounting bracket having a Y-shaped structure for attaching the damper to the base. See the dark outline in the figure below.

**FIG. 5**

Claim 15: '458 and '742 teach the limitations of claim 11 above and for the reasons applied to claim 4 above.

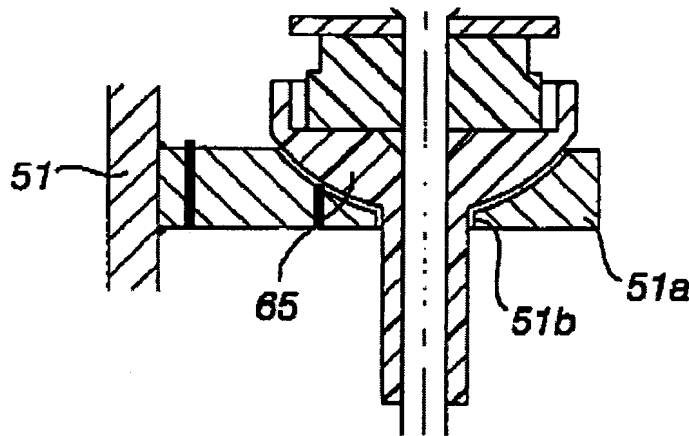
Claim 16: '458 and '742 teach the limitations of claim 11 above. '458 also teaches the buffering member being made of rubber [(37), Fig. 5, col. 5, lines 20-22].

Claim 17 is rejected over '458 and '742 as applied to claim 11 above, and further in view of '458 for the reasons applied to claims 6 and 7 above.

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7. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over '458 and '742 as applied to claim 11 above, and further in view of Chang et al. (U.S. Patent 6,397,643, hereafter '643).

Claim 12: '458 and '742 teach the limitations of claim 11 above. They do not teach where one portion of the base, in which the mounting hole is formed, has a thickness thinner than those of other portions of the base. However, '643 teaches a washing machine with a mounting hole which has a thickness thinner than those of other portions [see the dark lines drawn into Figure 5 below representing the changes in thickness of the base]. The selection of something based on its known suitability for its intended use has been held to support a *prima facie* case of obviousness. Therefore, it would have been obvious to one of ordinary skill in the art that the structure as taught by '643 could be used as the structure of '458 since, '643 teaches that it is a suitable structure used for mounting objects into a base in a washing machine.



Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kawabata et al. (U.S. Patent 6,530,245) teaches the damper connected to the base and the tub. Lee et al. (U.S. Patent 5,946,947) and Ferlicca (U.S. Patent 6,264,014) teach basic

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damper characteristics. Stelwagen (U.S. Patent 3,389,881) teaches using nuts on external threads for preventing detachment.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicole Blan whose telephone number is 571-270-1838. The examiner can normally be reached on Monday - Thursday 7:30-5 and Friday 7:30-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Cleveland can be reached on 571-272-1418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NRB



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